

REMARKS

A continuing application (Attorney Docket No. 283-299 Div.) is being filed April 8, 2008. Continuing application (Attorney Docket No. 283-299 Div.) is a divisional of the present U. S. Patent Application No. 09/854,756.

With the present application being set for issuance and continuing application (Attorney Docket No. 283-299 Div.) awaiting an initial examination, it is believed that continuing application (Attorney Docket No. 283-299 Div.) could not qualify as a reference against the present application. Also, the claims of the mentioned continuing application (Attorney Docket No. 283-299 Div.) are believed not to be related to the claims of the present application. Nevertheless, if the issuance of the present application were to become delayed such that the present application issues after continuing application (Attorney Docket No. 283-299 Div.), then continuing application (Attorney Docket No. 283-299 Div.) could qualify as a reference for assertion in an obviousness type double patenting rejection.

Applicant respectfully requests the Patent Office to advise the applicant if the issuance of the present application is expected to become delayed such that it could issue after the issuance of continuing application (Attorney Docket No. 283-299 Div.).

If the Examiner believes that contact with applicant's attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicant's representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-3577.

Application No. 09/854,756
Notice of Continuing Application
April 8, 2008

Docket No.: 283-299

Dated: April 8, 2008

Respectfully submitted,

By George S. Blasiak

George S. Blasiak
Registration No.: 37,283
Marjama Muldoon Blasiak & Sullivan LLP
250 South Clinton Street
Suite 300
Syracuse, New York 13202
(315) 425-9000
Customer No.: 20874

GSB/bs